

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
902(a) .....	10:6144.	[None.]
902(b) .....	10:6145.	[None.]
902(c) .....	37:243.	R.S. 1574.

In subsections (a) and (c), the words “naval vessel” are substituted for the words “any vessel of the United States”, in section 243 of existing title 37, and the words “vessel in the employ of the United States”, in section 6144 of title 10, for clarity and to conform to subsection (b).

In subsection (c), the word “continues” is substituted for the words “go on”. The words “whichever is earlier” are inserted for clarity. The words “or the findings of a” are inserted since a court of inquiry cannot impose a sentence.

## AMENDMENTS

1996—Subsec. (b). Pub. L. 104-316 substituted “the Secretary of the Navy may” for “the General Accounting Office, under the direction of the Secretary of the Navy, may”.

**§ 903. Retired members recalled to active duty; former members**

A retired member or former member of a uniformed service, or a member of the Fleet Reserve or Fleet Marine Corps Reserve, who is serving on active duty is entitled to the pay and allowances to which he is entitled, under this title, for the grade, rank, or rating in which he is serving. In addition, while on active duty, he is entitled to the pay and allowances, while on leave of absence or while sick, of a member of a uniformed service of similar grade, rank, or rating who is entitled to basic pay.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 487.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
903 .....	37:314.	Oct. 12, 1949, ch. 681, § 514, 63 Stat. 831.

The word “rating” is inserted for clarity. The words “is entitled to” are substituted for the words “shall . . . be entitled to receive and have the same . . . rights”. The last 41 words of section 314 of existing title 37 are omitted, since the sections mentioned therein were repealed by section 53(b) of the Act of August 10, 1956, ch. 1041 (70A Stat. 646). The subject of death benefits and entitlement thereto is now covered by chapter 75 of title 10.

**[§ 904. Repealed. Pub. L. 96-513, title IV, § 403(a), Dec. 12, 1980, 94 Stat. 2904]**

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 487; Pub. L. 90-130, § 3(2), Nov. 8, 1967, 81 Stat. 383; Pub. L. 90-623, § 3(8), Oct. 22, 1968, 82 Stat. 1315, set forth provisions relating to effective date of beginning of pay and allowances of officers of Navy or Marine Corps promoted under chapter 545 of Title 10, Armed Forces.

## EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, but with authority to prescribe regulations under the amendment by section 403(a) of Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of Title 10, Armed Forces.

**§ 905. Reserve officers of the Navy or Marine Corps not on the active-duty list: effective date of pay and allowances**

(a) A reserve officer who is promoted under chapter 1405 of title 10 to a grade above lieutenant (junior grade) in the Navy Reserve or above first lieutenant in the Marine Corps Reserve is entitled to the pay and allowances of the grade to which promoted for duty performed from the date on which he becomes eligible for promotion to that grade.

(b) A reserve officer who is promoted under section 14308(b) of title 10 to the grade of lieutenant (junior grade) in the Navy Reserve or first lieutenant in the Marine Corps Reserve is entitled to the pay and allowances of the higher grade for duty performed from the date given him as his date of rank.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 488; Pub. L. 95-377, § 9, Sept. 19, 1978, 92 Stat. 721; Pub. L. 96-513, title IV, § 403(b), Dec. 12, 1980, 94 Stat. 2904; Pub. L. 103-337, div. A, title XVI, § 1676(b)(3), Oct. 5, 1994, 108 Stat. 3019; Pub. L. 109-163, div. A, title V, § 515(d)(1)(F), Jan. 6, 2006, 119 Stat. 3236.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
905(a) .....	10:6141.	[None.]
905(b) .....	10:5907.	[None.]
905(c) .....	10:5908(a) (last sentence).	[None.]
905(d) .....	10:5788(c).	[None.]
905(e) .....	10:5787b(c).	[None.]
905(f) .....	10:5505(c).	[None.]
905(g) .....	10:5597(h) (last sentence).	[None.]
	10:5597(i) (last 21 words).	[None.]
905(h) .....	10:5787(g) (last 21 words).	[None.]
	10:5787(h) (last sentence).	[None.]

## AMENDMENTS

2006—Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve” in two places.

1994—Subsec. (a). Pub. L. 103-337, § 1676(b)(3)(A), substituted “chapter 1405” for “chapter 549”.

Subsec. (b). Pub. L. 103-337, § 1676(b)(3)(B), substituted “section 14308(b)” for “section 5908”.

1980—Pub. L. 96-513 substituted “Reserve officers of the Navy or Marine Corps not on the active-duty list: effective date of pay and allowances” for “Officers of Navy or Marine Corps not covered by section 904 of this title: effective date of beginning of pay and allowances” in section catchline, and generally revised and restructured section, and as part of such restructuring struck out former subsec. (a), redesignated former subsecs. (b) and (c) as subsecs. (a) and (b), respectively, and, in subsec. (a) as so redesignated, struck out second sentence which related to establishment of an officer’s professional and moral qualifications, and struck out former subsecs. (d) to (h).

1978—Subsec. (h). Pub. L. 95-377 inserted reference to section 5787d.

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of Title 10, Armed Forces.

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, but the authority to prescribe regulations under the amendment by Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.